

present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Leah Manning Stetzner, Vice President, General Counsel, and Corporate Secretary, 500 South 27th Street, Decatur, IL 62525, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer, or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1) (i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated August 24, 1998, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Vespasian Warner Public Library, 310 N. Quincy Street, Clinton, IL 61727.

Dated at Rockville, Maryland, this 2nd day of September 1998.

For the Nuclear Regulatory Commission.

**Jon B. Hopkins,**

*Senior Project Manager, Project Directorate III-3, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-24303 Filed 9-9-98; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-461]

### Illinois Power Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Illinois Power Company (the licensee) to withdraw its April 27, 1998, application for proposed amendment to Facility Operating License No. NPF-62 for the Clinton Power Station, located in DeWitt County, Illinois.

The proposed amendment would have changed the title "shift supervisor" to "shift manager" in the Technical Specifications.

The Commission had previously issued a proposed no significant hazards consideration determination published in the **Federal Register** on May 20, 1998 (63 FR 27762). However, by letter dated August 13, 1998, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated April 27, 1998, and the licensee's letter dated August 13, 1998, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Vespasian Warner Public Library, 310 N. Quincy Street, Clinton, IL 61727.

Dated at Rockville, Maryland, this 3rd day of September 1998.

For the Nuclear Regulatory Commission.

**Jon B. Hopkins,**

*Senior Project Manager, Project Directorate III-3, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-440]

### The Cleveland Electric Illuminating Company, et al. (Perry Nuclear Power Plant, Unit No. 1); Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an order approving, under 10 CFR 50.80, the transfer of Facility Operating License No. NPF-58 issued to The Cleveland Electric Illuminating Company, Centerior Service Company, Toledo Edison Company, Ohio Edison Company, Pennsylvania Power Company, OES Nuclear, Inc., and Duquesne Light Company (the licensees) with respect to operating authority under the license, for the Perry Nuclear Power Plant, Unit No.1, located in Lake County, Ohio, and considering issuance of a conforming amendment under 10 CFR 50.90.

#### Environmental Assessment

##### Identification of the Proposed Action

The proposed action would approve the transfer of operating authority under the license to a new operating company, called the FirstEnergy Nuclear Operating Company, to use and operate the Perry Nuclear Power Plant and to possess and use related licensed nuclear materials in accordance with the same conditions and authorizations included in the current operating license. The proposed action would also approve issuance of a license amendment reflecting the transfer of operating authority. The FirstEnergy Nuclear Operating Company would be formed by the FirstEnergy Corporation to become the licensed operator for the Perry Nuclear Power Plant and would have exclusive control over the operation and maintenance of the facility. After issuance of the transfer order and conforming license amendment, the owners will be authorized only to possess the facility and Centerior Service Company will be removed entirely from the license.

Under the proposed arrangement, ownership of the Perry Nuclear Power Plant will remain unchanged with each owner retaining its current ownership interest. The FirstEnergy Nuclear Operating Company will not own any portion of the Perry Nuclear Power Plant. Likewise, the owners' entitlement to capacity and energy from the Perry Nuclear Power Plant will not be affected by the proposed change in operating